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KADUR DISTRICT.

Notification No. A1. 2856—1935-36, dated 12th March 1936.

The right to collect tolls at the toll-gates as noted in Schedules A and B during the remaining portion of the second half of the current official year will be sold by public auction at the place and on the date specified against the gate.

2. Every person intending to bid at the sale should deposit beforehand an amount equal to one-sixth of the contract amount for the previous year as shown in Schedule A, as earnest money. The deposits of all the bidders except the first two or three whose bids are to be recommended for acceptance will be returned at the close of the sale. The deposit of the successful bidder, who will be called the contractor, will be returned only on fulfilment of the contract. The deposit of the remaining bidders will be returned soon after the confirmation of the sale.

3. The sale will not become absolute until confirmed by the authority noted in Schedule A, who reserves the final power of refusing or accepting, without assigning any reason whatever, the highest or any bid that may be offered.

4. The successful tenderer shall, within fifteen days of the receipt of intimation of confirmation of the sale in his favour, execute an agreement in the prescribed form on a duly stamped paper binding himself and his heirs to observe the conditions thereinafter set forth and to be subject to the penalties, forfeitures and liabilities referred to therein and when he does not hold property in Mysore, shall furnish at least two sureties who own sufficient properties in the Mysore State for the due performance of the contract and if he is a non-resident foreigner, he shall also agree to submit himself to the jurisdiction of the Civil Courts in Mysore and to be bound by any decrees, *ex parte* or otherwise, that may be passed against him by such courts for any sums due in respect of the contract amount.

5. The contract shall not be transferred by sale, gift or otherwise or sub-let without the previous sanction of the Deputy Commissioner.

6. The contract amount shall be paid in twelve equal monthly instalments in advance on the first day of every month into the Taluk Office. The contractor shall also pay along with the instalments the authorised Local, Railway and Education cesses, if any, at the prescribed rates.

7. Fees recovered from persons compounding the payment of toll at any one gate in accordance with Section 21 of the Road Traffic and Taxes Regulation and Rules made thereunder shall be kept at the credit of the contractor and adjusted towards the last instalment or instalments, as the case may be. The contractor shall not be entitled to a share of any composition fee other than that so levied under Section 21 of the Regulation in respect of the gate of which he holds the contract and in case the contract is for a shorter period than a year proportionately for the period for which he holds it.

8. Interest at 9 per cent per annum shall be levied on all overdue amounts till the date of payment.

9. The amount due from the contractor or his sureties shall be recoverable as if they were arrears of land revenue under the provisions of the Land Revenue Code and the rules thereunder.

10. The contractor shall collect tolls only at the rates and at the toll-gates and on the traffic specified in Schedules A and B.

11. The contractor shall give to the person paying the toll a proper receipt showing the date and hour of payment of toll. It shall be obligatory on the part of the contractor to purchase at the price fixed any standard form of receipts which may be prescribed by the Board for the purpose.

12. The contractor shall keep at the toll-gate true accounts of the daily collections and of the traffic passing through the toll-gate in such form as the Deputy Commissioner or the Traffic Board may prescribe. These accounts shall be open to the inspection of the Deputy Commissioner, the Sub-Division Assistant Commissioner, the Amildar and such other officer of the Traffic Board as may be authorised by the Board in this behalf. He shall, if required by the Deputy Commissioner, furnish to the Taluk office or the Office of the Board at the end of every month, a true return for the month showing the traffic passing through the gate in a prescribed form.

13. The contractor will have the use of the existing toll house and gate without payment of any rent, and he should keep them in good repair, failing which the cost of repair will be recovered from the contractor.

14. The contractor shall not be entitled to any remission of the contract amount or to any compensation on account of seasonal conditions or of exemptions from payment of tolls or reduction or modification in rate made by the Government in exercise of powers under Section 22 of the Road Traffic and Taxes Regulation or any other cause whatever.

15. The contractor and his employees shall always behave courteously towards the travelling public and shall not harass them or give them trouble of any kind and the contractor shall maintain at the toll-gate a book, wherein travellers may record complaints, and forward true extracts thereof once a week to the Amildar.

16. The contractor or his employees, while on duty at the toll-gates, shall appear in clean dress or in any uniform which the Board may prescribe.

17. The contractor shall arrange for a clear red light such as may be prescribed by the Board to be put up on the gates during the night to give adequate warning to approaching vehicles.

18. The contractor shall conform generally to the provisions of the Road Traffic and Taxes Regulation and of the rules, orders, notices, etc., issued thereunder. He shall recognise all exemptions made by the statute or rules in force for the time being. He shall pay special attention to the points mentioned in Schedule C.

19. Any breach of the above conditions or rules on the part of the contractor or his servants will entail the forfeiture of the deposit or the levy of a fine not exceeding Rs. 50 for each infringement. If the fine be not paid or in the event of instalments or other sums due not being paid within the prescribed date, it shall be competent to the Deputy Commissioner to suspend further collection of toll by the contractor and dispose of the right to collect the toll during the remaining period by a re-sale or otherwise. The re-sale will be held at the risk of the defaulting contractor, who shall be liable to make good all losses accruing, but shall not be entitled to any profits arising from the re-sale.

Note.—Sub-Division Assistant Commissioners and the Officers of the Traffic Board authorised by a notification of the Board in this behalf are also empowered to punish the contractor or his servants for any breach of the above conditions or rules either by the levy of fine or by a forfeiture of the deposit. But the power to suspend the collection of toll as well as the right to order its re-sale shall be reserved to the Deputy Commissioner.

20. The imposition of fine or re-sale of the contract shall be no bar to the prosecution of the contractor or his employees for any offence or to the institution of other legal steps against them under any law in force for the time being.

21. Bidders shall abide by the conditions of the sale set out below which shall be deemed to form part of this notification.

CONDITIONS OF SALE.

1. Persons intending to bid at the sale must attend in person or by a duly accredited agent.

2. The amount by which the biddings are to be increased shall be determined by the officer conducting the sale. In the event of any dispute arising as to the amount of the bid or as to the bidder, the right to collect tolls at the toll-gate concerned shall at once be again put up to auction.

3. The officer conducting the sale shall not be bound to accept all bids as a matter of course; it shall be in his discretion to decline the acceptance of the highest bid or any bid whatever.

4. It shall be in the discretion of the officer conducting the sale to adjourn it to a date and hour specified by him.

SCHEDULE A.

Name of the toll-gate or bridge	Situation of the gate	Whether tolls to be levied on through traffic, incoming traffic or outgoing traffic	Traffic specially exempted from payment of toll on account of the peculiar situation of the toll-gate or the special requirements to the people near the toll-gate	Amount of deposit required	Place of sale	Date of sale	Officer conducting the sale	Officer confirming the sale
Chikmagalur-Kadur Road.	Sakrepatna ...	Toll to be levied on all traffic specified in Schedule B	*Vide* rules under Schedule C.	Rs. 330	The District Treasury Officer's Office, Chikmagalur	Wednesday, 25th March 1936, will be continued, if necessary on Thursday the 26th instant	The District Treasury Officer, Chikmagalur	Deputy Commissioner, Kadur District.

SCHEDULE B.

Rates of Tolls on Motor Vehicles at all Toll-gates.

Sl. No.	Class of Vehicles	Rate Rs.	a.	p.
1.	On every motor cycle with or without side car ...	0	4	0
2.	Do motor car or motor cab constructed or adapted to carry not more than seven persons including the driver	1	0	0
3.	Do four-wheeled motor car constructed or adapted to carry eight persons or more including the driver	2	0	0
4.	Do four-wheeled motor bus	2	0	0
5.	Do four-wheeled motor lorry	2	0	0
6.	Do vehicle propelled by steam or motor power *other than those specified above*	3	0	0
7.	Do vehicle of the categories mentioned in items 5 and 6 above, if laden with timber, and entering the State at a frontier toll-bar ...	6	0	0

Rates of Tolls on Vehicles other than Motor Vehicles at Toll-gates other than Frontier Toll-gates specified below.

Sl. No.	Class of Vehicles	Rate Rs.	a.	p.
1.	On every four-wheeled carriage	0	8	0
2.	Do two-wheeled carriage on springs, other than a jatka or ekka	0	4	0
3.	Do ekka or jatka laden	0	2	0
4.	Do do unladen	0	1	0
5.	Do other vehicle on springs excluding a tricycle and a bicycle	0	2	0
6.	Do cart or other vehicle drawn by eight bullocks, buffaloes, horses, ponies, asses or mules, if laden ...	1	0	0
7.	Do do do if not laden	0	8	0
8.	Do cart or other vehicle drawn by six bullocks, buffaloes, horses, ponies, asses or mules, if laden	0	8	0
9.	Do do do if not laden	0	4	0
10.	Do cart or other vehicle drawn by four bullocks, buffaloes, horses, ponies, asses or mules, if laden	0	6	0
11.	Do do do if not laden.	0	3	0
12.	Do cart or other vehicle, drawn by two bullocks, buffaloes, horses, ponies, asses or mules, if laden ..	0	4	0
13.	Do do do if not laden.	0	2	0
14.	Do cart or other vehicle drawn by a single bullock, buffalo, horse, pony, ass or mule, if laden ..	0	2	0
15.	Do do do if not laden	0	1	0

Rates of Tolls on Vehicles other than Motor Vehicles at the Frontier Toll-gate at Kotgehar to be managed departmentally.

		Rs.	a.	p.
1.	On every cart or other vehicle drawn by eight bullocks, buffaloes, horses, ponies, asses or mules, if laden. ...	2	0	0
2.	On every cart or other vehicle drawn by eight bullocks, buffaloes, horses, ponies, asses or mules, if not laden ...	0	8	0
3.	On every cart or other vehicle drawn by six bullocks, buffaloes, horses, ponies, asses or mules, if laden	1	0	0
4.	On every cart or other vehicle drawn by six bullocks, buffaloes, horses, ponies, asses or mules, if not laden ...	0	4	0
5.	On every cart or other vehicle drawn by four bullocks, buffaloes, horses, ponies, asses or mules, if laden	0	12	0

		Rs.	a.	p.
6.	On every cart or other vehicle drawn by four bullocks, buffaloes, horses, ponies, asses or mules, if not laden ...	0	3	0
7.	On every cart or other vehicle drawn by two bullocks, buffaloes, horses, ponies, asses or mules, if laden ...	0	8	0
8.	On every cart or other vehicle drawn by two bullocks, buffaloes, horses, ponies, asses or mules, if not laden ...	0	2	0
9.	On every cart or other vehicle drawn by a single bullock, buffalo, horse, pony, ass or mule, if laden ...	0	4	0
10.	On every cart or other vehicle drawn by a single bullock, buffalo, horse, pony, ass or mule, if not laden ...	0	1	0
11.	On carts referred to in items 1, 3, 5, 7 and 9 above, if laden with timber and entering the State at a frontier toll-gate	3	0	0

NOTE.—Carts laden with manure or other substance used as manure shall pay at the rate prescribed for unladen carts of that class.

Rates of Tolls on Animals.

		Rs.	a.	p.
1.	On every buffalo or bullock per head, if laden ...	0	1	0
2.	Do do not laden ...	0	0	6
3.	Do elephant	1	0	0
4.	Do camel, if laden	0	4	0
5.	Do camel, not laden	0	2	0
6.	Do horse, if laden or ridden	0	1	6
7.	Do horse, if unladen or not ridden	0	0	9
8.	Do thattu or mule, if laden or ridden ...	0	0	9
9.	Do thattu or mule, if unladen or led ..	0	0	6
10.	Do ass, if laden or ridden	0	0	6

NOTE.—These tolls are leviable only on animals and cattle passing out of Mysore for or by way of sales through the frontier toll-gate at Kotgehar.

SCHEDULE C-I.

Rules relating to the Levy of Tolls on State Fund and District Fund Roads and Bridges.

1. The collection of tolls may be made by such officers of Government as may be appointed for the purpose or by such other person as may be selected by Government in such manner as they deem fit.

2. A table showing in English and Kannada the tolls authorised to be levied shall be put up in a conspicuous place near the toll-gate.

3. At every toll-bar, gate or station, there shall be issued to the person paying the toll a proper receipt showing the date and hour of payment of toll.

4. No more than one toll shall be levied at any one toll-bar, gate or station in respect of any vehicle in any one period of 24 hours.

5. No toll shall be levied at a frontier toll-gate in Mysore on any vehicle passing the gate, if within a period of 24 hours, a toll has been collected thereon at a British toll-gate in respect of which reciprocity has been obtained in consultation with the British authorities.

Rules for the General Composition of Tolls.

6. Any person desirous of compounding for tolls shall present to the officers empowered in this behalf, an application in the prescribed form giving particulars of the vehicle in respect of which and the period for which he wishes to compound.

7. The said officer shall, on receipt of the composition fee, fixed by Government, issue to the person the appropriate token.

8. This token shall be in the form fixed by Government from time to time and shall show in a prominent manner, the quarter or the year for which it is current.

9. Such token shall always be available for inspection at the toll-gate concerned. In the absence of this token, it shall be open to the authorities of the toll-gate to levy and collect the prescribed tolls on the vehicle. Toll so recovered shall not be liable to refund on the presentation of the token of composition later.

10. No refund of the composition fee or part thereof shall be granted if the vehicle in respect of which the fee is paid ceases to be in use during the whole or any part of the year or the quarter as the case may be.

11. Each exemption has reference to the particular vehicle specified therein and shall not be used in respect of any other vehicle.

12. Any person may, in respect of the classes of motor vehicles specified below, compound for all tolls other than those specified in rule 12 below by the payment of a composition fee at rates prescribed in Schedule C-II (*vide* Notification No. P. 3315—Legis. 46-35-3, dated 18th November 1935).

(i) Motor Cycles.
(ii) Motor Cars.
(iii) Motor Cabs.

13. The composition shall be for periods of a quarter or of an year.

14. The vehicle shall on production of the token by the owner or the person in charge thereof, be exempt from tolls levied by the Government or a Municipal Council at the toll-gates other than those specified below, namely :—

(i) Toll-gates established on roads and bridges specified in Schedule V of the Road Traffic and Taxes Regulation.

(ii) Toll-gates to be established on roads or bridges to be constructed after the Regulation comes to force for the recovery of the capital spent on such roads or bridges, *vide* Section 20 of the Road Traffic and Taxes Regulation.

Rules for the composition of tolls in respect of a single toll-bar.

15. *Rules applicable to all Classes of Vehicles.*—The composition allowed shall not apply in respect of the following toll-bars, *viz* :—

(i) Frontier toll-bars.
(ii) The toll-bar on the Dam across the Cauvery at Krishnaraj Sagar.

16. The composition of tolls shall apply only in respect of the classes of vehicles specified in Section 21 of the Road Traffic and Taxes Regulation and subject to the conditions specified therein and the rates of fee prescribed in Schedule C—III (*Vide* Notification No. P. 3314—Legis. 46-35-5, dated 18th November 1935).

17. The composition fee is annual and shall be paid for the official year and in advance. The same rates as for the whole year shall be paid even for parts of the official year.

Note to Rule 17.—This rule shall not apply to composition for the half year commencing with 1st January 1936. For this period, the composition may be effected for the half-year at half the rates fixed for the year.

18. *Rules Applicable to Carts drawn by a single Bullock or two Bullocks.*—Every person who wishes to compound for tolls in respect of his bullock-cart at any one toll-gate, at which such composition is allowed, shall present a written application in the form prescribed for the purpose to the Amildar of the Taluk or the Deputy Commissioner of the District, as the case may be. He shall further produce the vehicle before the said officer.

19. On collection of the necessary composition fee, the said officer shall have the distinctive mark prescribed for the purpose impressed on the cart with a stamping hammer, in such manner as is fixed in Rule 24 below. He shall also issue a token specifying the gate at which and the year for which the token is in force.

20. The mark prescribed in the foregoing rule shall be impressed on the yoke-rod in front of the cart prominently so that it can be easily seen at the toll-gate.

21. The authorities of the toll-gate shall examine both the token and the mark stamped on the vehicle and satisfy themselves that no toll is due before allowing the cart to pass without tolls.

SCHEDULE C.—II.

Rates of fees for composition of tolls on motor vehicles.

Classes of vehicles	Fees per quarter	
	for vehicles fitted with pneumatic tyres on all wheels	for other vehicles
I. Motor Cycles.	Rs. a. p.	Rs. a. p.
(*a*) Motor cycles with two wheels ...	5 0 0	6 8 0
(*b*) Ditto, if used for drawing a trailer or side car ...	7 8 0	9 8 0
(*c*) Motor cycles with three wheels ...	10 0 0	12 8 0
II. Motor Cars and Motor Cabs. ...		
(*a*) Weighing not more than 15 cwts., unladen ...	15 0 0	21 8 0
(*b*) Weighing more than 15 cwts. but not more than 30 cwts., unladen.	20 0 0	30 0 0
(*c*) Weighing more than 30 cwts. but not more than 45 cwts., unladen.	32 8 0	50 0 0
(*d*) Weighing more than 45 cwts. but not more than 60 cwts., unladen.	40 0 0	60 0 0
(*e*) Weighing more than 60 cwts., unladen ...	50 0 0	75 0 0
(*f*) Additional fee payable in respect of such vehicles when used for drawing trailers :—		
(1) For each trailer not exceeding one ton in weight, unladen.	10 0 0	15 0 0
(2) For each trailer exceeding one ton in weight, unladen,	20 0 0	30 0 0
Provided that two or more vehicles shall not be chargeable under this clause in respect of the same trailer.	...	...

Note.—A rebate of 10 per cent will be allowed, if the composition fee is paid for the year in advance.

SCHEDULE C.—III

Rates of fee for composition in respect of a single toll-bar for certain vehicles.

Serial No.	*Class of vehicle.*	*Amount of annual fee.* Rs. a. p.
1.	(*a*) Motor cycles	15 0 0
	(*b*) Motor cars weighing not more than 30 cwts. in weight, unladen and not constructed or adapted to carry more than seven persons including the driver ...	30 0 0
	(*c*) Motor buses	75 0 0
	(*d*) Carts drawn by a single bullock or two bullocks ...	7 8 0

Note I.—This composition shall not be allowed.—

(i) at any frontier toll-gate ;

(ii) at more than one interior toll-gate for any such motor cycle, motor car, motor bus and cart.

II. This composition will not exempt the bullock cart referred to above from tolls when such cart is laden with timber.

SCHEDULE C—IV.

The undermentioned vehicles, etc., shall be exempt from payment of tolls at toll-gates established under the Regulation on State Fund and District Fund roads and bridges in the manner and to the extent specified below :—

I. At all toll-gates.—

(i) Vehicles belonging to His Highness the Maharaja or His Highness the Yuvaraja of

(ii) Vehicles belonging to the Hon'ble the British Resident in Mysore and his staff, namely, the Secretary to the Resident, the Residency Surgeon and the Personal Assistant to the Resident.

(iii) Vehicles belonging to the Dewan of Mysore.

(iv) Vehicles belonging to the Postal Department or engaged by them exclusively for the carriage of Mails.

(v) Vehicles or animals used for the passage of troops, military stores or equipage.

(vi) Vehicles conveying British or Mysore Military Officers on duty.

To entitle an officer to pass a toll-gate without payment as being "on duty," he must fulfil at least one of the following conditions :—

(*a*) be travelling in a staff car;

(*b*) be wearing uniform;

(*c*) be in possession of toll pass issued by the Headquarters, Madras District, or the Chief Commandant, Mysore State Troops, as the case may be;

Note.—Illustrations of flags distinguishing cars of the several British officers are noted hereunder for information :—

(*a*) The Military Staff Cars are usually painted Khaki.

(*b*) A prefix letter and number, together with a broad arrow mark, are painted in white on a black background on all Military Motor Vehicles, usually on both sides of the upper portion of the bonnet of the car.

The same particulars are also shown at the rear of the vehicle, either on the rear end of the off-side rear mudguard or on a plate fixed to the chassis for that purpose.

(*c*) The broad arrow mark may precede the prefix letter or be painted above the prefix and number thus :—

↑G. 8704 or G. 8704 ↑

(*d*) The motor cars of the undermentioned officers may be distinguished by flags flown on the Radiator Cap.—

His Excellency the Commander-in-Chief.	... Flag, Union Jack.
General Officer Commanding-in-Chief, Southern Command.	Flag, Oblong, Red, Black, Red.
Commander, Madras District ...	... Flag, Red swallow tail.
Commander, Southern Brigade Area	... Flag, Blue pennant.

(vii) Vehicles or animals used for the passage of police force or police officers in uniform on duty or of any person or property in their custody.

(viii) Vehicles or animals used for the passage of any property *bona fide* belonging to any Department of the Government or the Palace, the proof of which should be established by the production of a pass or certificate from the Head of the Department to which the property or the vehicle belongs or such other officer as is duly authorised in this behalf by the Deputy Commissioner or by the Board to grant such certificates or passes. Such pass or certificate should be delivered up at the last toll-gate passed by the vehicle conveying such property before it reaches the destination noted in such pass or certificate.

Note 1.—The exemption in question applies to Government property whether transported in hired vehicles or in vehicles belonging to Government.

Note 2.—The exemption from payment of toll applies to such vehicles only when they convey Government materials. Vehicles when returning empty after delivery of the materials or going to fetch such materials, are liable to pay toll.

Note 3.—The undermentioned heads of Palace Elakhas are authorised to issue passes for the passage of Palace property toll-free at all toll-gates.

1. The Officer in charge of the Palace Garage.
2. Do do do Stables.
3. The Palace Engineer.
4. The Mokhtesar, Palace Estates.
5. The Mokhtesar, Khas Samukha.
6. The Munib, Mothikhana.
7. The Inspector, Gajasala.
8. The Mokhtesar, Palace Gardens, Mysore.
9. The Subedar, Faraskhana Department, Mysore.

Note 4.—The Superintendent, Government House, is authorised to issue passes for the free passage of vehicles and property belonging to the Government House.

(ix) Vehicles belonging to a Local Board or Municipal Council the proof of which is to be established by the production of a certificate signed by the President of such body, or by such other officer as may be authorised by the Traffic Board or the Deputy Commissioner.

(x) Vehicles belonging to Heads of Mutts who hold a Rahadari issued by competent authority.

(xi) Vehicles belonging to officers and subordinates of the Public Works Department, below the grade of Executive Engineer, who travel on duty within their jurisdiction.

Note.—Any such officer passing a toll-gate on duty shall, if the authorities of the toll-gate so desire, enter in a book kept for the purpose, his name, designation and the nature of the duty on which he is travelling.

(xii) Officers and subordinates of the Traffic Board while travelling on duty.

(xiii) Cars conveying the Raja of Sandur.

(xiv) Cars conveying the Raja Saheb of Akkalkote, the Rani Saheb of Akkalkote, (the Raja Saheb's mother) while on tour within the State.

(xv) Cars conveying the Raja of Savanur.

(xvi) Cars or conveyances used for ambulance purposes.

xvii) Carts belonging to agriculturists residing within five miles of toll-gate shall be free of tolls at that gate when such carts are carrying manure, implements, seeds, or agricultural produce to and from their fields and when they return unladen.

Note.—Any claim for exemption under this rule shall be supported by a certificate signed by the Patel or Chairman of the Village Panchayet of the village to which the cart belongs.

II. At all toll-gates other than those established on roads and bridges specified in Schedule V of the Road Traffic and Taxes Regulation and on roads and bridges to be constructed hereafter. *vide* Section 20 of the said Regulation.

(i) Motor buses let or plied for hire on ordinary or short term permits.

Note.—The motor buses while on use for private purposes are liable to tolls.

(ii) Motor cycles, motor cars, motor cabs which have paid the necessary composition fee and compounded in accordance with Section 20 of the Regulation.

Note.—To get this exemption from tolls the vehicles should produce as prescribed by rules, the license or token prescribed.

(iii) Motor lorries which hold a permit for working in the area in which the toll-gate is situated.

Note—(1) When working outside the area prescribed in the permit, lorries must pay tolls.

(2) This exemption applies to motor lorries at all such toll-gates in the area prescribed in the permit except those established on roads competing with Railways at which the levy of tolls is specially prescribed by the Board.

III. At all interior toll-gates, that is, toll-gates other than frontier toll-gates.

(i) *Bona fide* agricultural bullock-carts except those carrying timber for commercial purposes.

Note 1.—This does not apply to such interior toll-gates as are specified in Schedule V of the Road Traffic and Taxes Regulation or to toll-gates to be established under Section 20 of the said Regulation. At such toll-gates the carts are liable to tolls.

2. The word timber referred to above should be construed as including only logs or sawn timber, and not bamboos, fuel and cane.

(ii) Vehicles which have compounded for the payment of tolls at the gate under Section 21 of the said Regulation.

Note.—The exemption under this clause does not apply to such vehicle when it carries timber. When such vehicle is used for the carriage of timber, it must pay the tolls prescribed.

M. ABDUL HUKH,
Deputy Commissioner.